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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,315	01/14/2000	Ann Devereaux	9373-1F888US1	8215

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EXAMINER
VU, THONG H

ART UNIT	PAPER NUMBER
2142	10

DATE MAILED: 05/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/483,315	DEVEREAUX ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thong H Vu	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 04 March 2003.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-6,8-27 and 29-75 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-6,8-27 and 29-75 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.      6) Other: \_\_\_\_\_ .

1. Claims 1-6,8-27,29-75 are pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6,8,15-27,30-46,50-54,56-58,60-72 are rejected under 35 U.S.C. 102(e)

as being anticipated by Rothblatt [6,105,060].

2. As per claim 39, Rothblatt discloses a wireless communications interface system, comprising:

a portable data interface unit [handheld device 21, Fig 1, col 3 line 35-col 4 line 3] secured to a user and having a display, a encoder [col 4 lines 33-53], and a transceiver [transceiver 84, Fig 5, col 12 lines 55-67], said encoder configured to receive a user command and format the command for transmission by said transceiver over a wireless connection;

a network [Internet 25, Fig 1];

a routing node [gateway 23, Fig 1] having a transceiver configured to receive the command transmitted by said transceiver of said user interface unit through said wireless connection, wherein said routing node establishes a connection to said network; and

a media device coupled to said network [service provider 31, Fig 1], wherein said routing node transmits the command to said media device over said network using said routing node transceiver, said media device executes said user command separate from said user interface unit to generate a result, said routing node directs the result from said media device [col 4 lines 16-33, col 6 lines 19-58, col 8 lines 23-58], over said network, to said decoder of said user interface unit through said routing node over said wireless connection [encrypted/decrypted, col 9 lines 19-32] using said routing node transceiver, and said decoder is configured to format the result for presentation to the user with said data interface unit display [col 4 lines 33-53, col 13 lines 19-65].

3. Claim 1 contains the similar limitation set forth of claim 39. Therefore, claim 1 is rejected for the similar rationale set forth in claim 39.

4. Claims 23 and 61 contain the similar limitation set forth of apparatus claim 39. Therefore, claims 23 and 61 are rejected for the similar rationale set forth in claim 39.

5. As per claim 2, Rothblatt discloses the media device comprises a camera for providing video signals for display on the portable access unit as inherent feature of multimedia wireless network.

6. As per claims 3,4 Rothblatt discloses the media device comprises a display for receiving video signals and audio signals transmitted from the portable access unit for presenting on the display [col 3 line 35-col 4 line 3].

7. As per claim 5, Rothblatt discloses the media device is a microphone for transmitting audio signals to the portable access unit for presenting on a speaker attached to the portable access unit as inherent feature of multimedia computer device.

8. As per claim 8, Rothblatt discloses the processor is for providing command for controlling remotely controllable hardware as inherent feature of wireless network

9. As per claims 15,16 Rothblatt discloses the media device is wirelessly or electrically connected to the network as a design choice.

10. As per claim 17, Rothblatt discloses a plurality of portable access units capable of wirelessly communication with the general purpose node for communicating with the one or more devices through network as inherent feature of wireless network

11. As per claim 18, Rothblatt discloses plurality of general purpose node for communication with the subset of the plurality of portable access units as inherent feature of wireless network.

12. As per claim 19, Rothblatt discloses each portable access unit is for dynamically associating and de-associating with one of the plurality of general purpose nodes as inherent feature of wireless network wherein the mobile unit connected and disconnected to the base stations.

13. As per claims 20-21 Rothblatt discloses each portable access unit is adapted for listing on a display the plurality of portable access units or media devices that are associated with the plurality of general purpose nodes [identification code col 14 lines 49-67]

14. As per claim 22, Rothblatt discloses each portable access unit is adapted for present on a display the biological data for a user of at least one of the other plurality of portable access units after selecting the at least one other portable access units displayed in the list [database col 15 lines 45-65].

15. As per claim 24, Rothblatt discloses receiving video signals from the media device for providing video signals for display on the portable access unit [col 7 lines 38-48].

16. As per claims 25,26 Rothblatt discloses transmitting video and audio signals from the portable access unit to the media device for presenting the video and audio signals on the media device [col 7 lines 38-48].

17. As per claim 27 Rothblatt discloses receiving audio signals captured by the remote media device from the remote media device for presenting on the portable access unit [col 9 lines 19-32, col 10 lines 24-44].

18. As per claim 28 Rothblatt discloses transmitting commands from the portable access unit to the media device for controlling the media device as inherent feature of wireless network [col 13 lines 40-col 14 line 14].

19. As per claim 30 Rothblatt discloses dynamically associating and de-associating the portable access unit with the general purpose nodes as inherent feature of wireless network wherein the plurality of mobile device connected to a base station [computer 29, Fig 1].

20. As per claim 31 Rothblatt discloses presenting a list of a plurality of portable access units on a display that are associated with the general purpose node [database col 15 lines 45-65].

21. As per claim 32 Rothblatt discloses listing on the display a plurality of media devices associated with the general purpose node [database col 15 lines 45-65].

22. As per claim 33 Rothblatt discloses presenting biological data for a user of one of a plurality of portable access units after selecting the user's name from a list of users of the plurality of portable access units [database col 15 lines 45-65].
23. As per claim 34,35 Rothblatt discloses the portable access unit is configured to transmit, display data [col 13 lines 19-67].
24. As per claim 36 Rothblatt discloses the general purpose node is configured to route data between the portable access unit and the at least one media device as inherent feature of wireless network.
25. As per claims 37,38,53 Rothblatt discloses the general purpose node or media device is configured to route data separate from the portable access unit such as gateway 23 routing data from portable unit 21 [Fig 1].
26. As per claims 40,41,67,68 Rothblatt discloses said decoder decompresses the result [demultiplex, Rothblatt col 8 lines 34-57].
27. As per claim 42,43 Rothblatt discloses said encoder formats said user command by compressing said user command or said encoder formats said user command by multiplexing the command [multiplexed col 8 lines 34-57].
28. As per claims 44-46, 70-72 Rothblatt discloses said network comprises a Local Area Network (LAN) or a Remote Local Area Network (RLAN) or a Wide Area Network (WAN) [Internet 25, Fig 1].
29. As per claim 50, Rothblatt discloses one or more additional portable user interface units, each of said additional data interface units being associated with said routing node through respective transceivers over said wireless connection as inherent

feature of wireless network wherein the plurality of mobile device connected to a base station [computer 29, Fig 1].

30. As per claim 51, Rothblatt discloses said one of said user interface units displays a list of the other said data interface units associated with said routing node as inherent feature of wireless network wherein the base station has a list of connected wireless devices [database col 15 lines 45-65].

31. As per claims 6,52, Rothblatt discloses said media device comprises a processor [microprocessor 110, Rothblatt Fig 5].

32. As per claim 54, Rothblatt discloses said network device comprises a separate computer running a multimedia Internet software program [computer 29, Rothblatt Fig 1]

33. As per claim 56, Rothblatt discloses said media device comprises an Internet phone as inherent feature of wireless device over Internet.

34. As per claim 57, Rothblatt discloses said media device comprises a display for receiving video signals transmitted from said portable data interface unit, through said routing node, and over said network to said display for presentation on said display such as the terminal 22 sends user signals from to gateway 23 / provider 31 [Fig 1].

35. As per claim 58, Rothblatt discloses said media device comprises a speaker for receiving audio signals transmitted from said portable data interface unit, through said routing node, over said network, and to said speaker for presenting sound based on the audio signals [loudspeaker 104, Rothblatt col 13 lines 19-32].

36. As per claim 60, Rothblatt discloses one or more additional media devices, wherein a media device is selected by a user, and the command is transmitted from

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said portable access unit and through said routing node which routes the command over said network to said selected media device [service provider 31 a-b, Fig 1].

37. As per claim 62,63 Rothblatt discloses formatting the command with said encoder further comprises compressing the command or formatting the instruction with said encoder further comprises multiplexing the command as inherent feature of multiplexing [col 8 lines 34-57].

38. As per claim 64 Rothblatt discloses routing the result from said network device to said routing node over said network [gateway 23, Fig 1].

39. As per claim 65 Rothblatt discloses routing the result to said decoder of said data interface unit over said wireless connection through respective transceivers.

40. As per claim 66 Rothblatt discloses formatting the result with said decoder for presentation to the user with said display [col 13 lines 19-32].

41. As per claim 69 Rothblatt discloses displaying the formatted result on said display to the user [col 13 lines 19-67].

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9-14,29,47-49,55,59 and 73-75 are rejected under 35 U.S.C. 103(a) as being obvious over Rothblatt [6,105,060] in view of Stevens [6,327,570 B1].

42. As per claim 59, Rothblatt disclose said portable data interface unit further comprising a speaker [speaker 104, Fig 5]

However Rothblatt did not teach said media device comprises a microphone for transmitting audio signals over said network, through said routing node, and to said speaker of said portable data interface unit for presenting sound based on the audio signals.

A skilled artisan would have motivation to improve the communication between portable interface unit and media device and found Stevens teaching. Stevens taught a personal business service system and method wherein a wireless communication unit including a microphone and digital camera [Steven col 3 lines 49-col 4 line 8] barcode or other sensor devices [Stevens col 6 lines 16-36] for Internet access

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the portable unit with microphone and sensor device as taught by Stevens into the Rothblatt's apparatus in order to improve the communication via Internet. Doing so would provide real-time information to user for accessing and controlling information via network.

43. As per claim 9,12,29,47,73 Rothblatt-Stevens disclose a sensor associated with the user and configured for communication with said routing node [sensor devices, Stevens col 6 lines 16-36].

44. As per claims 10,11,13,14, 48,49,74-75 Rothblatt-Stevens disclose said sensor comprises a biological sensor or an environmental sensor [Stevens col 6 lines 16-36].

45. As per claim 55, Rothblatt-Stevens disclose said media device comprises a camera for providing video signals over said network, through said routing node, for display on said portable data interface unit [digital camera, Steven col 3 lines 49-col 4 line 8].

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell, can be reached at (703) 305-9703.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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